



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/591,420	09/01/2006	Yoshiya Nonaka	46970-5273	1758
23973 7590 10/06/2008 DRINKER BIDDLE & REATH ATTN: INTELLECTUAL PROPERTY GROUP ONE LOGAN SQUARE 18TH AND CHERRY STREETS PHILADELPHIA, PA 19103-6996				
EXAMINER ZIA, SYED				
ART UNIT 2131		PAPER NUMBER		
MAIL DATE 10/06/2008		DELIVERY MODE PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/591,420

Applicant(s)

NONAKA ET AL.

Examiner

SYED ZIA

Art Unit

2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SE/US)
Paper No(s)/Mail Date 09/06
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

This office action is in response to application filed on September 01, 2006. Original application contained Claims 1-7. Therefore, Claims 1-7 are pending for further consideration.

Specification

The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) THE NAMES OF THE PARTIES TO A JOINT RESEARCH AGREEMENT.
- (e) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC.
- (f) BACKGROUND OF THE INVENTION.
 - (1) Field of the Invention.
 - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (g) BRIEF SUMMARY OF THE INVENTION.
- (h) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (i) DETAILED DESCRIPTION OF THE INVENTION.
- (j) CLAIM OR CLAIMS (commencing on a separate sheet).
- (k) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (l) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-7 are rejected under 35 U.S.C. 102(e) as being anticipated by Doe et al. (U. S. Patent 7,260,726 B1).

1 Regarding Claim 1, Doe Teach and describe an electronic device, comprising: a mounting device which loads a portable recording medium; and an encrypted information write device which writes encrypted information obtained by encrypting predetermined information using an electronic device unique key unique to the electronic device, and an electronic device unique key encrypted using a recording medium unique key unique to the recording medium, in the recording medium; the electronic device further comprising: an authentication device with authenticates medium identification information for identifying the recording medium, and device identification information for identifying the electronic device, in the case where the recording medium is mounted on the mounting device; a key generating device which generates a common encryption key for encrypting or decrypting the electronic device unique key in

accordance with the authentication result of the authentication device; an encrypted information read device which reads the encrypted information recorded in the recording medium, and the encrypted electronic device unique key; an acquiring device which forwards the read electronic device unique key to a control portion for the recording medium, and acquiring the electronic device unique key encrypted by the common encryption key from the control portion, after the electronic device unique key is decrypted by the recording medium unique key in the control portion; a decryption execution device which decrypts the acquired electronic device unique key by the common encryption key, and executing the decryption of the encrypted information using the decrypted electronic device unique key; and a control device which sets the electronic device in usable mode in the case where the encrypted information is decrypted by the decryption execution device (Fig.1-3, and col.5 line 58 to col.7 line 3, and col.9 line 20 to line 55).

2 Regarding Claim 5, Doe Teach and describe a method of controlling an electronic device comprising: a mounting device which loads a portable recording medium; and an encrypted information write device which writes encrypted information obtained by encrypting predetermined information using an electronic device unique key unique to the electronic device, and an electronic device unique key encrypted using a recording medium unique key unique to the recording medium, in the recording medium; the method comprising the processes of: authenticating medium identification information for identifying the recording medium, and device identification information for identifying the electronic device, in the case where the recording medium is mounted on the mounting device; generating a common encryption key for encrypting or decrypting the electronic device unique key in accordance with the authentication

result; reading the encrypted information recorded in the recording medium, and the encrypted electronic device unique key; forwarding the read electronic device unique key to a control portion for the recording medium, and acquiring the electronic device unique key encrypted by the common encryption key from the control portion, after the electronic device unique key is decrypted by the recording medium unique key in the control portion; decrypting the acquired electronic device unique key by the common encryption key, and executing the decryption of the encrypted information using the decrypted electronic device unique key; and setting the electronic device in usable mode in the case where the encrypted information is decrypted (Fig.1-3, and col.5 line 58 to col.7 line 3, and col.9 line 20 to line 55).

3 Regarding Claim 6, Doe Teach and describe a security program characterized in that a computer included in an electronic device comprising: a mounting device which loads a portable recording medium; and an encrypted information write device which writes encrypted information obtained by encrypting predetermined information using an electronic device unique key unique to the electronic device, and an electronic device unique key encrypted using a recording medium unique key unique to the recording medium, in the recording medium; is caused to function as: authenticating medium identification information for identifying the recording medium, and device identification information for identifying the electronic device, in the case where the recording medium is mounted on the mounting device; generating a common encryption key for encrypting or decrypting the electronic device unique key in accordance with the authentication result; reading the encrypted information recorded in the recording medium, and the encrypted electronic device unique key; forwarding the read electronic device unique key

to a control portion for the recording medium, and acquiring the electronic device unique key encrypted by the common encryption key from the control portion, after the electronic device unique key is decrypted by the recording medium unique key in the control portion; decrypting the acquired electronic device unique key by the common encryption key, and executing the decryption of the encrypted information using the decrypted electronic device unique key; and setting the electronic device in usable mode in the case where the encrypted information is decrypted (Fig.1-3, and col.5 line 58 to col.7 line 3, and col.9 line 20 to line 55).

4. Claims 2-4 and 7 are rejected applied as above rejecting Claims 1, 5, and 6. Furthermore, Doe teach and describe a method of processing cryptographic data, wherein

As per Claim 2, further comprising a volatile memory for holding the information, and a load request device which determines whether the memory is in the information holding mode in the case where power is supplied to the electronic device with the recording medium not loaded in the mounting device, and in the case where the memory is not in the information holding mode, prompting the user to load the recording medium (col.12 line 46 to 64).

As per Claim 3, the control device determines whether the information obtained by decrypting the encrypted information and the preset information coincide with each other, and in the case where they coincide with each other, sets the electronic device in usable mode (col.13 line 16 to line 48).

As per Claim 4, further comprising an alarm device which outputs an alarm in the case where the encrypted information is not decrypted by the decryption execution device (col.12line 65 to col.13 line 9).

As per Claim 7, a recording medium in which the security program described in claim 6 is recorded in a computer readable form (col.15 line 9 to line 19).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SYED ZIA whose telephone number is (571)272-3798. The examiner can normally be reached on 9:00 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

sz
September 30, 2008
/Syed Zia/
Primary Examiner, Art Unit 2131